

1 **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

2 **RESOLUTION NO. 2012- _____**

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4 **A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER**
5 **MANAGEMENT DISTRICT AUTHORIZING AN AGREEMENT BETWEEN REAL**
6 **ESTATE INVESTMENT GROUP L.L.C. (“REIG”), TERRANOVA INVESTMENTS OF**
7 **MIAMI, INC. (COLLECTIVELY, “OWNER”) AND SOUTH FLORIDA WATER**
8 **MANAGEMENT DISTRICT PROVIDING FOR FLOODWALL CONSTRUCTION AND**
9 **CHANGES IN REAL PROPERTY INTERESTS ALONG THE C-4 CANAL IN MIAMI**
10 **DADE COUNTY RESOLVING A COURT ORDER ISSUED APRIL 6, 2011 AGAINST**
11 **THE OWNER; PROVIDING AN EFFECTIVE DATE.**

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14 **WHEREAS**, SFWMD holds an easement along the C-4 Canal within the
15 Cormen Subdivision in Miami-Dade County.

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17 **WHEREAS**, REIG and Terranova Investments of Miami, Inc. (collectively,
18 “Owner”) owns property in the Cormen Subdivision in Miami-Dade County, adjacent to
19 the C-4 Canal.

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21 **WHEREAS**, Owner constructed a house that encroaches on SFWMD’s Release
22 Parcel which interferes with SFWMD’s operation and maintenance of the flood control
23 system.

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25 **WHEREAS**, Owner and SFWMD litigated this matter in South Florida Water
26 Management District v. Real Estate Investment Group, LLC, Terranova Investments of
27 Miami, Inc., Case No. 09-00549-CA-23 in the Circuit Court in and for Miami-Dade
28 County, Florida, (the “Lawsuit”).

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30 **WHEREAS**, On April 6, 2011, the court in this case ordered Owner to remove
31 any portion of the house that lies within SFWMD’s property interest and enjoined and
32 barred Owner from constructing or placing anything within SFWMD’s property interest,
33 (the “Court Order”).

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35 **WHEREAS**, SFWMD and Owner wish to enter into an agreement as an
36 alternative to Owner’s strict compliance with the Court Order.

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39 **NOW THEREFORE, BE IT RESOLVED** by the Governing Board of the South
40 Florida Water Management District:
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43 **Section 1.** The Governing Board of the South Florida Water Management District
44 hereby authorizes the approval of the agreement between Real Estate
45 Investment Group L.L.C., Terranova Investments of Miami, Inc. and the
46 South Florida Water Management District.
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48 **Section 2.** A copy of the agreement is attached hereto as Exhibit "A" and made a part
49 hereof.
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51 **Section 3.** This resolution shall take effect immediately upon adoption.
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56 **PASSED** and **ADOPTED** this _____ day of _____, 2012.
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SOUTH FLORIDA WATER MANAGEMENT
DISTRICT, BY ITS GOVERNING BOARD

By:

Chair Person

ATTEST:

Secretary

Approved as to form:

By:

Office of Counsel

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